IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO.56 OF 2004

Pandurang Dharma Bhoir & Ors. : Petitioners
V/s.
The State of Maharashtra & Ors. : Respondents

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Mr. P. M. Pradhan for the petitioners.
Mr.Y. D. Mulani, Assistant Government Pleader for respondent Nos.1 and 3.
Mr.N. V. Walawalkar for respondent No.2.
Mr. Rajiv Patil for respondent No.4.

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CORAM : DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.

DATE : APRIL 11, 2005.

P.C.:

1. Initially, the plot in question was reserved for a school and playground but in the revised plan, it was sanctioned for fish and mutton market. The Municipal Council has stated that they are not in a position to acquire the land and under regulation No.16 of the Municipal Council, such public purpose can be developed through owner on conditions imposed by the Municipal Council.

2. By passing the Resolution on 8.5.2002, the Municipal Council allowed the owner to develop the plot for concerned purpose. In this view of the matter, we do not find any merit in this Petition. The Writ Petition is, accordingly, dismissed.

Sd/-

CHIEF JUSTICE

Sd/-

S.A. BOBDE, J.